
SUMMARY OF PROCEEDINGS

JOINT SELECT COMMITTEE ON CAPITAL TRAIL, SENTENCING, AND POST CONVICTION PROCEDURES FOR PERSONS WHO SUFFER SEVERE MENTAL DISABILITIES

TUESDAY JANUARY 13, 2009
ROOM 1027 LEGISLATIVE BUILDING
12:30 PM

The Joint Select Committee on Capital Trail, Sentencing, and Post Conviction Procedures for Persons Who Suffer Severe Mental Disabilities met Tuesday January 13 at 12:30 in room 1027 of the Legislative Building. Thursday January 15, 2009 at 2:00 in room 1124 of the Legislative Building.

Senator Ellie Kinnaird presided. Members present on January 13 were Senators Stan Bingham, Charlie Dannelly, Fletcher Hartsell Jr., Ed Jones and Representatives Pricey Harrison, Tim Moore, Bonner Stiller, and William Wainwright. Staff members present were Hal Pell, Emily Johnson and Denise Thomas. A copy of the roll denoting members present is attached to the minutes (Attachment A) along with a copy of the visitor registration and agenda sheet (Attachments B and C).

Senator Ellie Kinnaird called the meeting to order and introduced the Sergeant at Arms staff.

Sen. Kinnaird recognized Hal Pell to deliver the Charge to Committee. Mr. Pell said the charge is a broad general charge. The committee shall submit a final report by Jan twenty seven and committee terminates on that date. (Attachment D).

Sen. Kinnaird recognized John Tote.

Sen. Kinnaird introduced the first speaker, John Tote, Executive Director of MHA of NC, an advocacy and provider organization working on behalf of the mentally ill. (Attachment E)

Mr. Tote: North Carolina has one of the most stringent “not guilty by reason of insanity” laws in the nation. At the same time North Carolina is a leader in the nation in dealing with restrictions on capital punishment for people with mental retardation. This bill restricting capital crimes for people with severe mental illness is an extension of North Carolina’s existing law for people with mental retardation.